

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

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PRASANNA SANKARANARAYANAN,	)	
	)	CASE NO. C24-01745-RAJ
Petitioner,	)	
v.	)	Seattle, Washington
	)	
DHIVYA SASHIDHAR,	)	November 22, 2024
	)	11:43 a.m.
Respondent.	)	
	)	MOTION TO AMEND
	)	via telephone
	)	

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VERBATIM REPORT OF PROCEEDINGS  
BEFORE THE HONORABLE RICHARD A. JONES  
UNITED STATES DISTRICT JUDGE

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APPEARANCES:

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Reported by: NANCY L. BAUER, CCR, RPR  
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1 Court in session at 11:43 a.m.

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2  
3 THE CLERK: Good morning, everyone. May I ask who is  
4 on the line?

5 MR. MIN: This is Richard Min on behalf of the  
6 petitioner.

7 MR. ORDELL: This is Roni Ordell on behalf of  
8 petitioner; co-counsel as well.

9 MS. SKINNER: Katelyn Skinner on behalf of respondent.

10 MS. ANDERSON: And Sherri Anderson on behalf of  
11 respondent.

12 THE CLERK: Do we have Katrina Siepel?

13 MS. SKINNER: No.

14 THE COURT: All right. Any other persons present on  
15 the conference call?

16 All right. This is the matter under Cause No. 24-1745,  
17 Sankaranarayanan versus Sashidhar.

18 Who will be speaking on behalf of the petitioner?

19 MR. MIN: Richard Min, Your Honor.

20 THE COURT: Who will be speaking on behalf of the  
21 respondent?

22 MS. SKINNER: Katelyn Skinner, Your Honor.

23 THE COURT: This is a petition for a motion to amend,  
24 and let me hear from you, counsel. And I'll tell you what my  
25 concerns are.

1           When you filed this original action, the relief that you  
2           sought was for, essentially, TRO-type relief, for the court to  
3           react immediately. And I will note that the matter wasn't  
4           properly noted with this court, which caused some confusion in  
5           our clerk's office if the court were to treat this as an  
6           expedited motion under the Hague Convention, with the type of  
7           relief that you were seeking.

8           But setting that aside, it's the court's expectation that  
9           when you file an action like this, the statute contemplates an  
10          expedited proceeding. But here we are, just a few days after it  
11          was granted by this court, asking for extended relief.

12          This court needs to have some compelling justification.  
13          You've got a host of things in terms of discovery, postponing  
14          the schedule for expert witnesses to be identified, expedited  
15          proceedings, but at the same time you're asking for an extended  
16          date of continuance.

17          So tell me exactly where we are and what you've done by way  
18          of communication with opposing counsel, because I have a  
19          proposed order, but there's no participation by the respondent  
20          yet.

21                 MR. MIN: Thank you, Your Honor.

22          Right, and we had initially filed for an extension before  
23          opposing counsel came on, where we emailed with the court and  
24          filed a proposed order before opposing counsel had come on  
25          board. And so, obviously, we'd like to meet and confer.

1 I will note we have reached out to opposing counsel, who we  
2 share as adversaries on another case, throughout the week, and  
3 we have not received a response, and they are, apparently, out  
4 of office. But we do want to acknowledge that we have not met  
5 and conferred on this issue, Your Honor.

6 I will note, yes, these matters are to be expedited. We're  
7 not seeking a prolonged delay at all. We're seeking a few extra  
8 weeks just to make sure that this is not going to be a trial by  
9 ambush; that, once we receive their answer, which is going to  
10 be the -- it will set forth all of their allegations, we have  
11 ample time to be able to rebut those allegations before an  
12 evidentiary hearing.

13 I mean, if this evidentiary hearing was simply on our prima  
14 facie case, I would not be concerned with going to trial  
15 immediately. But we do anticipate there will be affirmative  
16 defenses and exceptions to raise, and, therefore, we believe we  
17 would be at a disadvantage. My client would be prejudiced if we  
18 were to move to trial, essentially, a week after receiving their  
19 answer.

20 THE COURT: Counsel, why don't you, Mr. Min, explain  
21 to the court what you need by way of what you contemplate by  
22 your definition of "limited discovery." What's that look like?

23 MR. MIN: Sure, Your Honor. I mean, we would be  
24 asking -- and we've done this on, you know, a one-, two-week  
25 basis -- turnaround basis. But we'd be asking for some

1 documentation production, limited interrogatories, perhaps  
2 depositions of some key witnesses that we believe can all be  
3 conducted in a short period of time. I mean, as we proposed in  
4 our order, you know, we're looking -- if the court is  
5 accommodating, we, obviously, are deferring to the court's  
6 schedule, you know, late December, early January trial time.  
7 And so we envision being able to do this in very short order,  
8 which we have done in the past.

9 Also, the other thing that, I think, is just really  
10 important is to have an expert disclosure schedule. We would  
11 need experts, if they're going to get experts, and we would need  
12 to get their expert reports so that we can rebut those reports.

13 Your Honor, one thing I did forget to mention, although I'm  
14 aware of the Your Honor's rulings on the pro hoc vice  
15 application, and so this is not an impediment to trial, but I am  
16 supposed to be out of the country on December 3rd. If trial  
17 were to proceed then, or at some other time, and I'm  
18 unavailable, of course, you know, we will have a co-counsel from  
19 my office or a partner from my office or someone to cover that,  
20 and Mr. Ordell is, obviously, present as well, but I just wanted  
21 to let the court know about that as well.

22 THE COURT: Now, counsel, let's peel back your  
23 generalized representation.

24 When you say "document production," what exactly do you  
25 contemplate to seek by way of document production?

1 MR. MIN: Well, we wanted to know, obviously, what  
2 evidence they have for any of the allegations they intend to  
3 raise. And just because we anticipate they're going to raise  
4 domestic violence allegations, we want to know if they have any,  
5 you know, audio recordings, video recordings, photographs; if  
6 they have any communications with third parties, you know, that  
7 show contemporaneous communications about these abuse  
8 allegations; you know, those sorts of documents.

9 Obviously, if there's a contention that Singapore was not  
10 the official residence, then we'd want documents related to  
11 their ties to the United States versus Singapore, any  
12 communications related to the parties' intentions.

13 It's difficult to say exactly what we want, Your Honor,  
14 which is part of the reason we're asking for the extension,  
15 because we don't know what they're alleging yet, and until we  
16 see their response and until we see their answer, we're not  
17 going to know exactly what documents we need.

18 But those are the type -- generally speaking, those are the  
19 type of documents we expect to ask for. And, of course, if the  
20 child is seeing a therapist and seeing an expert already, we  
21 would want, you know, documents from the expert, that were  
22 provided by the expert, that were produced by the expert or any  
23 treating therapist.

24 THE COURT: Okay. And beyond document production, why  
25 would we need to duplicate via interrogatories? Because that's

1 just going to complicate it if the court gives any reasonable  
2 period of opportunity for responding. In other words, a general  
3 representation, what is it that you need to go to trial, as  
4 opposed to what would be convenient to go to trial?

5 MR. MIN: Understood, Your Honor.

6 I mean, my thought on that is that, if we're doing  
7 documentation production, and I think document production is, of  
8 course, the most important thing, along with expert disclosure,  
9 which is probably equally important. You know, while we're  
10 doing that, if we have that time to do that, then my desire  
11 would be to, of course, use that same period of time without  
12 adding any additional delay to do interrogatories and limited  
13 depositions.

14 But, of course, Your Honor, I will always defer to Your  
15 Honor's directives in terms of the scope of discovery.

16 THE COURT: As far as you know right now, because  
17 that's the next category of concern, who do you contemplate --  
18 again, without having to respond. You may think that that's  
19 unfair, but I want to know if it's appropriate for me to grant a  
20 continuance.

21 When you say "witnesses," what witnesses have you  
22 identified or have reasonable basis to believe should be  
23 witnesses to be deposed or interviewed?

24 MR. MIN: Yeah. Obviously, any experts that are  
25 identified, we would want to be deposed. And, of course, we

1 can't identify those just yet ourselves. And then we're  
2 thinking about the mother, of course, and then the maternal  
3 grandmother, someone who is now present, we understand, in  
4 Seattle, along with the mother.

5 THE COURT: And as far as your witnesses and any  
6 experts that you have, what number of witnesses do you believe  
7 would be necessary for you to present your case-in-chief?

8 MR. MIN: For our case-in-chief, we won't need any  
9 experts. Truthfully, I think we wouldn't need any witnesses,  
10 really, beyond the parties and, perhaps, one or two additional  
11 fact witnesses.

12 But, again, you know, our case -- Your Honor, I want to  
13 modify that slightly.

14 So our prima facie case is really three things pursuant to  
15 the case law. One is identifying and proving Singapore is the  
16 country of official residence. For that purpose, it is a very  
17 factual question. We would generally be relying on party  
18 testimony, perhaps one or two very short depositions.

19 The second prong of that test is whether or not custody  
20 rights of Singapore were violated. That typically is not  
21 contested in these cases, because if Singapore is the country of  
22 official residence, as a married couple with a child, you know,  
23 generally, most parties recognize and most courts recognize  
24 that, you know, they each have equal rights of custody.

25 But if that were to be contested, then we would probably



1 call a Singapore law expert to testify about Singapore laws  
2 regarding custody and that people can't just move out of the  
3 country without the consent of the other parent. That should be  
4 fairly short.

5 And then the third prong is exercising custody rights, just  
6 meaning that you've kept up a normal relationship with the  
7 child, you haven't abandoned the child. And that, again, would  
8 really only come down to party testimony.

9 So on our prima facie case, we don't believe it's that  
10 complicated. Maybe some limited expert testimony. That's why I  
11 say if it's simply going to be about our prima facie case, I  
12 think we can move forward fairly rapidly. But I expect there  
13 will be at least two affirmative defenses or exceptions raised,  
14 and that is where we would seek some additional time so that we  
15 can adequately rebut those allegations.

16 THE COURT: And what do you contemplate, from the best  
17 you know, the duration and length of the trial?

18 MR. MIN: Duration and length of trial, again, if it's  
19 simply on our prima facie case, I think we can be concluded in a  
20 day. If there's affirmative defenses that are going to be  
21 raised with expert testimony, then I think this is likely to be  
22 a two- to three-day trial, at minimum.

23 THE COURT: All right. Anything else that you wish to  
24 present to the court before the court goes to the respondent,  
25 counsel?

1 MR. MIN: No. Thank you, Your Honor. I appreciate  
2 the time.

3 THE COURT: All right. I'll hear from you,  
4 Ms. Skinner.

5 MS. SKINNER: Thank you, Your Honor.

6 Our position is that this matter should proceed to trial on  
7 the date that Your Honor has set. The petitioner has had this  
8 case ready, at least ready enough to file the petition, since  
9 October 25th, nearly a month ago.

10 There were criminal charges pending in Singapore against  
11 the petitioner. There are restraining order matters pending  
12 against the petitioner in Washington State. The petitioner knew  
13 that there was going to be allegations of grave risk, as Mr. Min  
14 had indicated there, and he should have been adequately  
15 preparing this matter for trial in the last four weeks. Why he  
16 has not done so, perhaps he thought that he was going to get a  
17 default or that my client wouldn't have enough funds available  
18 to her to pursue a defense. But here we are.

19 We're the ones who are just jumping into this case, but  
20 we're ready to go, because the Convention requires that a  
21 decision be reached within six weeks from the date of the  
22 commencement.

23 And so as far as discussion from petitioner is gathering  
24 evidence that they might need for trial, these are -- I would  
25 say 90 percent of the documents are equally available to the

1 parties, because we're going to be looking to documents that  
2 were filed in the Singapore courts, we're going to be looking to  
3 documents that petitioner filed in India saying that India is  
4 the place of residence of the child, and we're going to be  
5 looking to documents in Washington State. These are public  
6 records and statements of the parties that are available to both  
7 parties.

8 And so we would ask that this matter stay set on the  
9 docket. Mr. Min and I are both well versed in these cases, and  
10 I think that we can work together to exchange discovery, at this  
11 point, on an extremely expedited manner, as we do regularly.

12 My client would be prejudiced by a delay. And then, of  
13 course, she's going to be handing over the child's passport  
14 later today, and so she's restricted in that sense. She's also  
15 restricted in the sense that these cases pending in Singapore,  
16 in India, and in Washington State are all going to be put on  
17 hold or in limbo until this Hague case is decided, so this  
18 matter really needs to be decided in order for the parties to  
19 move forward and for the child to have some stability and  
20 permanency moving forward.

21 Thank you, Your Honor.

22 THE COURT: Let me ask you some of the same questions.  
23 Counsel has identified his suspicion about what your response or  
24 defense will be, or affirmative defenses.

25 Can you articulate for the court? I recognize that your

1 due date for filing a response isn't until November 27th, but it  
2 would be of great value to the court for you to identify what  
3 defenses that you plan on raising at this point in time.

4 Now, if you believe it's prejudicial to your client to have  
5 to disclose it a few days ahead of time, let the court know.

6 MS. SKINNER: Absolutely not. We're prepared to let  
7 the court know at this point.

8 As far as the defenses to petitioner's prima facie case, we  
9 will be putting forth the argument that Singapore was not the  
10 child's habitual place of residence, and I think the evidence  
11 largely shows, by the petitioner's own words, that the parties  
12 were temporarily in Singapore.

13 And so, again, the evidence that's going to support that  
14 are largely statements by the parties in these court filings  
15 that were made in Singapore and India. And so we're going to be  
16 objecting to the habitual residence prong.

17 We're not going to be objecting to the rights of custody.  
18 We'd be objecting to the prong of actually exercising the  
19 rights, because father fled Singapore once criminal charges were  
20 brought against him, and did abandon the child, at that point,  
21 when he fled to India.

22 And then as far as affirmative defenses, we will be arguing  
23 the grave risk of harm, again, as petitioner has surmised, as  
24 well as investigating the possibility of a mature-child  
25 objection.

1 THE COURT: And do you contemplate securing an expert  
2 witness to testify in your case?

3 MS. SKINNER: We do, Your Honor. And I would have no  
4 problem disclosing our expert's name at this point, but we do  
5 have at least one lined up.

6 THE COURT: And in terms of availability, if the court  
7 were to grant some form of postponement or continuance, what  
8 would be the availability of that witness? Do you have any  
9 out-of-town travel or any unavailability?

10 MS. SKINNER: No, Your Honor. If Your Honor would be  
11 so inclined to allow our expert witness to appear remotely, I  
12 believe that the availability would be open during that time,  
13 Your Honor.

14 THE COURT: Okay.

15 And then counsel didn't identify -- and the grandmother,  
16 I'm assuming, is readily available?

17 MS. SKINNER: Yes, Your Honor.

18 THE COURT: And as far as production of any  
19 documentary evidence, based upon what counsel articulated, do  
20 you contemplate any objection to any requests that he's  
21 identified, with a reasonable opportunity to meet and confer?

22 MS. SKINNER: No, Your Honor. Those documents all  
23 sound relevant, and we would not have any problems or objections  
24 in gathering those quickly.

25 Again, because there's litigation pending in Singapore,

1 India, and Washington, the parties -- at least my client -- has  
2 already gathered a large portion of these documents.

3 THE COURT: And would you have any objections to  
4 producing those documents or, at least, the sources of how you  
5 acquired those documents, the cause number or anything else? It  
6 seems like they'd be readily available to both parties, but is  
7 there anything uniquely acquired, that you're aware of, that you  
8 would need to produce, in light of counsel's request?

9 MS. SKINNER: No, Your Honor.

10 THE COURT: All right. And is your client available  
11 for deposition as well?

12 MS. SKINNER: Yes, Your Honor.

13 THE COURT: And in light of the court's previous  
14 order, I trust that there is no reason to believe that your  
15 client would be leaving this jurisdiction; is that correct?

16 MS. SKINNER: No, Your Honor.

17 THE COURT: It's not correct? She's leaving the  
18 jurisdiction?

19 MS. SKINNER: Oh. There's no reason to believe she  
20 will be leaving, Your Honor. She'll be staying and complying  
21 with the court's orders in that regard.

22 THE COURT: And trust the grandmother will be readily  
23 available as well, correct?

24 MS. SKINNER: Correct, Your Honor.

25 THE COURT: All right. Anything further that you'd

1 like to add, Ms. Skinner, on behalf of your position?

2 MS. SKINNER: No, Your Honor.

3 THE COURT: All right. Let me hear from Mr. Min. Any  
4 rebuttal, sir?

5 MR. MIN: Your Honor, no.

6 I mean, Ms. Skinner -- I mean, you know, the expert issue  
7 alone, I think, is going to require time for us to rebut and  
8 have our own expert witness, because one of the issues here is  
9 going to be -- especially if they raise the mature-age  
10 exception -- we're going to request, Your Honor, that our expert  
11 have the same access to the child and to the sources of  
12 information so that our expert can do our own evaluation. And  
13 so that's going to require some time after we receive their  
14 expert record.

15 Your Honor, I think one question you did not ask them is  
16 how many days they anticipate the trial lasting, as well, and I  
17 think that -- based on what I'm hearing, I mean, I see at least  
18 a two- to three-day trial.

19 THE COURT: Ms. Skinner, let me hear from you. What  
20 is your contemplation for the estimated length of trial,  
21 primarily for the defense?

22 MS. SKINNER: Thank you, Your Honor.

23 As long as there are no -- it doesn't sound like there's  
24 going to be any delay added to the trial or extension. By  
25 virtue of translators at work, I think we could get this done in

1 two days.

2 THE COURT: And when you say "translators," first of  
3 all, is your client fluent in the English language?

4 MS. SKINNER: Yes, Your Honor.

5 THE COURT: Does your client need the benefit of a  
6 translator?

7 MS. SKINNER: No, Your Honor.

8 THE COURT: How about the grandmother? Does she need  
9 the benefit of a translator?

10 MS. SKINNER: I don't have the answer for that at this  
11 time, Your Honor.

12 THE COURT: All right. And are any witnesses that you  
13 contemplate on calling, would they need the benefit of a  
14 translator?

15 MS. SKINNER: No, Your Honor.

16 THE COURT: And, counsel, are you aware of any reason  
17 why you think that we need to invoke an expert witness from  
18 Singapore to define Singapore law regarding custodial issues or  
19 the ability to remove a child without consent of the other  
20 person or parent?

21 MS. SKINNER: No, Your Honor. We would be prepared to  
22 stipulate to that prong of the analysis, Your Honor, without the  
23 use of Singapore experts.

24 THE COURT: Okay. All right. Thank you.

25 Mr. Min, it seems that this trial is considerably shorter



1 by way of what the court is going to permit by way of a long  
2 delay, and I would have hoped that you would have secured or  
3 contemplated, in light of what the defense has represented  
4 regarding the allegations in Singapore and in Washington about  
5 the need of an expert witness.

6 Counsel for the petitioner, it sounds like you've already  
7 secured an expert witness; is that correct?

8 MR. MIN: Your Honor, yes; I mean, we have lined up an  
9 expert witness. There's nothing for the expert witness to do  
10 until we are able to see their expert witness report, be able to  
11 rebut that and have our own independent evaluation of the child  
12 and, possibly, the parties, and which is -- you know, in a Hague  
13 case, the respondent who is bringing forward the affirmative  
14 defenses, you know, it's their burden of proof, and we're -- we  
15 need to see their evidence and their reports, especially their  
16 reports, to be able to then prepare a rebuttal to that.

17 THE COURT: All right.

18 MR. MIN: But we do have experts lined up. I  
19 apologize, Your Honor. I just wanted to make sure that was  
20 clear.

21 THE COURT: All right.

22 The challenge the court has is securing a specific date in  
23 light of the court's schedule. I have an out-of-jurisdiction  
24 matter I have to handle. That's going to be in the second week  
25 of December. And then I have another trial in this jurisdiction

1 that starts on the 17th. The following week is a holiday, so  
2 that would put us into January 7th -- or January 6th, which is a  
3 Monday. What is the availability of the parties to start a  
4 trial on January 6th?

5 MR. MIN: We are available, Your Honor, speaking on  
6 behalf of petitioner.

7 THE COURT: And respondent?

8 MS. SKINNER: Respondent is available, Your Honor.

9 THE COURT: Okay.

10 Now, what I'm going to do, however, is I'm going to put  
11 some restrictions on what's going to happen by way of discovery  
12 between now and then.

13 You've indicated, counsel, Mr. Min, the primary source of  
14 material necessary to present your case-in-chief is document  
15 production. Counsel for the respondent has already indicated  
16 that most of the documents are equally available to both  
17 parties.

18 Is there something specific that you believe is in the  
19 possession of the respondent that you can't equally access?

20 MR. MIN: Your Honor, just to be clear, for our prima  
21 facie case, no, the documents -- the discovery, we don't need  
22 discovery on our prima facie case. The document production was  
23 for their affirmative defenses, you know, such as, you know,  
24 recordings, photos, communications with third parties,  
25 contemporaneous communications about the allegations of abuse.

1           You know, to the extent that there's contemporary  
2       communications regarding the parties' intentions as their  
3       official residence, I think that would probably be the only  
4       thing we're not in possession of. Right? I mean, if the mother  
5       was in communication with somebody about, Oh, we're excited to  
6       go to Singapore forever, well, then that's the type of  
7       production we would want, relevant communication.

8           Or if she communicated to someone, you know, We're only  
9       going to be in Singapore for two months before we come back to  
10      the U.S., then, obviously, those are communications we're not in  
11      possession of.

12          So that's the type of documents for the prima facie case  
13      that we'll probably be seeking.

14           THE COURT: All right.

15          Ms. Skinner, are you aware of any recordings that will be  
16      used either in your case or in your defense?

17           MS. SKINNER: Your Honor, I apologize, but I don't  
18      have the answer for that at this time.

19           THE COURT: Are you aware of any photographs?

20           MS. SKINNER: I also don't have the answer. I'm  
21      sorry.

22           THE COURT: Are you aware of any third-party  
23      communications?

24           MS. SKINNER: And I don't know on that category as  
25      well, Your Honor.

1 THE COURT: All right.

2 What I'm going to do, then, counsel, is, I'm going to allow  
3 limited document production. I'll give the parties the  
4 opportunity to meet and confer and provide this court with an  
5 agreed order or explanation of why you can't agree on whatever  
6 documents that are outstanding that are necessary for the trial.

7 The court is not going to permit a series of  
8 interrogatories or exhaustive document production. This case  
9 appears to be fairly straightforward, in light of the  
10 representations made by the parties.

11 The court will allow depositions. I'm going to give the  
12 parties the opportunity to meet and confer to exchange dates for  
13 depositions -- that's both sides -- as well as the parties  
14 explaining or defining what you believe the expert witnesses'  
15 identification, as well as a due date for a report or any  
16 writings that will be provided or generated, and then give me a  
17 proposal for what you believe you can agree to.

18 If you can't agree on what I've just outlined -- and I'm  
19 going to give you a due date -- then you contact this court  
20 immediately, and we'll have a conference, just as we're doing  
21 right now, and I'll resolve the differences.

22 But in light of what the requests are, particularly of  
23 petitioner, I expect that the meet-and-confer would generate a  
24 positive outcome and positive result without conflict.

25 Mr. Min, based upon what you know now, do you have any

1 reason to disagree with the court's belief of the outcome of  
2 your ability to agree on these things?

3 MR. MIN: Your Honor, I expect that we will be able to  
4 agree, or at least I hope, Your Honor. We've had some  
5 difficulty on discovery issues with counsel in other matters, so  
6 I'm hopeful that this matter will be different.

7 But I do think that Your Honor -- just to be clear, I think  
8 they are very reasonable, and we are not going to be doing  
9 anything excessive, so I'm very hopeful we can resolve these  
10 issues in short order.

11 THE COURT: Well, I'll tell you what. I'm going to  
12 give you a due date that you need to have any issues you do have  
13 resolved, and provide this court a written agreed order or  
14 explanation of why you can't agree or what you're disagreeing  
15 on, no later than December 2nd, and that will be required to be  
16 here by noon on December 2nd.

17 Any reason why you can't meet that date, counsel for the  
18 petitioner?

19 MR. MIN: No, Your Honor. In fact, we would ask for  
20 something sooner, just because if there are unresolved discovery  
21 disputes on December 2nd, that gives time to go through  
22 discovery before the beginning of trial. So I would ask for an  
23 earlier date. Of course, we have no problem --

24 THE COURT: First of all, it's just a meet-and-confer.  
25 I can move that up sooner. I was trying to be generous with the

1 holiday coming up. Is there any reason why the parties can't  
2 get this done by noon on the 27th or the 26th of November?

3 MR. MIN: No, no issue, Your Honor. Obviously, just  
4 looking at the dates -- yeah, noon by the 27th would be  
5 perfectly fine.

6 THE COURT: And counsel for the respondent?

7 MS. SKINNER: That's fine with us, Your Honor. Thank  
8 you.

9 THE COURT: All right. So I'll expect that agreed  
10 order, or reasons why you can't agree, by that date, filed by  
11 noon of the 27th of November.

12 And if you can't agree, advise this court immediately so  
13 that we can schedule a hearing to have this matter resolved.

14 MR. MIN: Thank you, Your Honor.

15 THE COURT: Is that understood?

16 MS. SKINNER: Yes, Your Honor.

17 MR. MIN: Yes, Your Honor.

18 THE COURT: So for purposes of an order coming out,  
19 the court is granting the petitioner's request for a  
20 continuance. The court finds that good cause has been  
21 justified, based upon counsel's oral representations in court,  
22 and the court has continued this matter, with all due deliberate  
23 speed, to have this accomplished in context of the Hague  
24 Convention expectations for expedited resolution of these types  
25 of proceedings.

1 Any other findings necessary or appropriate to be  
2 requested?

3 MR. MIN: No, Your Honor.

4 THE COURT: Ms. Skinner?

5 MS. SKINNER: Not on this issue, Your Honor. I had  
6 two other matters that I would like to be heard on.

7 THE COURT: All right. Let's talk about it.

8 MS. SKINNER: Thank you, Your Honor.

9 The request for a good-cause waiver of local counsel to be  
10 present at hearings and to cosign the pleadings on both sides,  
11 is the request I'd like to bring before the court.

12 THE COURT: All right. Is there an issue with  
13 opposing counsel?

14 MR. MIN: Your Honor, we have no opposition to that,  
15 Your Honor.

16 THE COURT: Any further position or statement that  
17 needs to be made, Ms. Skinner?

18 MS. SKINNER: No, Your Honor.

19 THE COURT: All right. Do you wish to make any  
20 further representations, beyond what you just summarized?

21 MS. SKINNER: Just to represent that Mr. Min and I  
22 regularly proceed in pro hoc vice form on these matters. And  
23 while, of course, we have local counsel available to assist, I  
24 think that, as far as expediting the proceedings and to make  
25 sure matters are timely filed, having local counsel be obligated

1 to sign those documents might make that a little bit difficult,  
2 and so that's further support for the request for the waiver.

3 THE COURT: And, counsel, will you be presenting an  
4 order to that effect?

5 MS. SKINNER: Yes, Your Honor.

6 THE COURT: All right. I'll direct that you provide  
7 that order.

8 What's the second thing?

9 MS. SKINNER: The second request is that, in this  
10 matter, respondent has been ordered to surrender the child's  
11 passport, which she has indicated, I believe, that she'd be  
12 doing around 1:00 p.m. this afternoon.

13 We understand that petitioner also holds a passport for the  
14 child, and we'd ask that that be relinquished to the court as  
15 well.

16 THE COURT: Okay. And the petitioner, to your  
17 knowledge, resides in the state of Washington?

18 MS. SKINNER: Petitioner, I'm not quite sure whether  
19 he's in India or Singapore. I don't know if he's in the U.S. at  
20 this moment, Your Honor.

21 THE COURT: Then I'll ask Mr. Min.

22 Accessibility to your client's passport and do you have any  
23 objection to that request?

24 MR. MIN: Your Honor, my client is in Singapore, and I  
25 think the request, to be clear, is about an alleged child's



1 passport that my client has, right? Not his passport but --

2 MS. SKINNER: The child's U.S. passport is in your  
3 client's possession, I believe.

4 MR. MIN: Okay. Your Honor, I don't know whether  
5 that's true or not, and I would have to check with my client.  
6 To the extent he is in possession of the child's U.S. passport,  
7 I don't think there's an issue in turning it over, although, I  
8 mean, I would be loath to send that in the mail. And I would  
9 represent -- and I did this in a recent case, is when he travels  
10 here, perhaps it gets turned over.

11 I don't know if the concern is that he somehow comes to the  
12 U.S. and absconds with the child, and there's, obviously, a  
13 court order that the child is not to be removed from this  
14 jurisdiction, and I would represent and propose that, if and  
15 when he comes to the United States, that that be the time that  
16 the passport be turned over, and we would give notice of that,  
17 if the passport does exist in his possession.

18 THE COURT: I think the order, counsel, only  
19 contemplates that the respondent not remove the child from the  
20 Western District of Washington. There's nothing in the order  
21 that's been filed that would affirmatively state that the  
22 petitioner not remove the child from the Western District of  
23 Washington.

24 So as far as I'm concerned, that's a real possibility,  
25 whether he would do that or not.

1 My concern is the availability of the child's passport, not  
2 his passport.

3 MR. MIN: Right, Your Honor. We're happy to stipulate  
4 that the child is not to be removed from the Western District of  
5 Washington by anybody, either party, or the party -- any party  
6 cooperating or attempting to have the child removed by even a  
7 third party. So that part is --

8 THE COURT: I'll require that stipulation be filed  
9 with this court by way of a separate agreed order.

10 MR. MIN: Okay.

11 THE COURT: And I'm also going to require that your  
12 client provide his child's U.S. passport on an expedited basis.  
13 If he's not coming to the United States, then I'll allow that  
14 passport to be provided upon his arrival in the United States.  
15 If he believes that he does not have the child's passport, the  
16 only thing I've heard is the respondent in the case, through  
17 counsel, that she thinks he might have the child's passport. If  
18 he doesn't have the child's passport, then I'll require that he  
19 file a declaration under penalty of perjury, that he does not  
20 have the child's passport and that he has exhausted all methods  
21 of search for the child's passport, and it's unavailable.

22 Is that agreed?

23 MR. MIN: Agreed, Your Honor.

24 MS. SKINNER: Thank you, Your Honor.

25 THE COURT: Anything further, Ms. Skinner? I believe

1 the court has addressed the two items that you've raised.

2 MS. SKINNER: That's correct, Your Honor, nothing  
3 further. Thank you.

4 THE COURT: Anything further from the petitioner?

5 MR. MIN: No, Your Honor. Thank you for your time.

6 THE COURT: We'll be in recess.

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8 (Proceedings concluded at 12:19 p.m.)

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## C E R T I F I C A T E

I, Nancy L. Bauer, CCR, RPR, Court Reporter for the United States District Court in the Western District of Washington at Seattle, do hereby certify that I was present in court during the foregoing matter and reported said proceedings stenographically.

I further certify that thereafter, I have caused said stenographic notes to be transcribed under my direction and that the foregoing pages are a true and accurate transcription to the best of my ability.

Dated this 27th day of November 2024.

/S/ Nancy L. Bauer

Nancy L. Bauer, CCR, RPR  
Official Court Reporter